

REMARKS

By the foregoing amendment, the Related Applications section of the specification has been updated, Claim 22 has been amended, and Claims 23-24 have been cancelled. Claims 22 and 25-35 remain pending. Favorable reconsideration of the application is respectfully requested.

Claim 22 was rejected under the judicially created doctrine of obviousness-type double patenting in view of claim 17 of U.S. Patent No. 6,638,291. It is believed with the enclosed Terminal Disclaimer, the rejection on the grounds of obviousness-type double patenting can be withdrawn. A check covering the fee for the filing of the Terminal Disclaimer is enclosed.

Claim 24 was rejected under 35 U.S.C. §101, on the grounds of double patenting in view of claim 1 of U.S. Patent No. 6,638,291. Claim 24 has been cancelled.

Claims 22, 23 and 25-35 were rejected under 35 U.S.C. 102(e) on the grounds of anticipation by Wallace et al. Claim 22 has been amended to incorporate the subject matter of Claim 23, which is now cancelled. Claim 22 now recites "a second portion extending outwardly from the first portion in its second configuration and having a first inoperable, substantially linear configuration for insertion into and through a catheter to a desired portion of the vasculature to be treated, and a second operable, coiled shape for filling and reinforcing the three dimensional shaped portion when the vasoocclusive device is implanted at the site in the vasculature to be treated." The Examiner indicated that Figure 17B of Wallace et al. discloses a second portion extending outwardly from the

first portion in its second configuration and having a first inoperable, substantially linear configuration and a second operable, coiled shape, referring to the element 720 as being "pointed out." It is respectfully submitted that Figure 17 B of Wallace et al. does not illustrate element 720 as extending outwardly from the first portion in its second configuration and having a first inoperable, substantially linear configuration and a second operable, coiled shape. Figures 17A and 17B is described in the figure descriptions as being "top and side views of a coil wound around a mandrel suitable for making a device according to the present invention," and Figure 17A showing the same configuration clearly shows no portion of element 720 extending outwardly from the first portion. At column 8, lines 58-63, element 720 is described as being the coil wrapped around the round side pins and the square center post, not as an extension extending outwardly from the coil. It is respectfully submitted that Wallace et al. does not teach, disclose or suggest a second portion extending outwardly from the first portion in its second configuration and having a first inoperable, substantially linear configuration for insertion into and through a catheter to a desired portion of the vasculature to be treated, and a second operable, coiled shape as is claimed, and that Claims 22 and 25-35 are novel and inventive over Wallace et al. It is therefore respectfully submitted that the rejection of Claims 22, 23 and 25-35 on the grounds of anticipation by Wallace et al. should be withdrawn.

In light of the foregoing amendments and remarks, it is respectfully submitted that the application should now be in condition for allowance, and an early favorable action in this regard is respectfully requested.

Respectfully submitted,

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